

351.350 Citation for violation -- Action against violator.

- (1) If upon inspection an authorized representative of the commissioner finds that an explosive user or seller has violated any requirement of KRS 351.315 to 351.375, a citation shall be issued to the violator. Each citation shall describe the alleged violation, establish the time period permitted for correction by fixing a reasonable date by which the alleged violation shall be eliminated, if applicable, and propose the civil penalty to be paid. If within fifteen (15) working days from the receipt of the citation the explosive user or seller fails to notify the commissioner that he intends to contest the citation, then the citation shall be deemed a final order and not be subject to review by any court or agency.
- (2) If the explosive user or seller notifies the commissioner that he intends to challenge a citation issued under KRS 351.315 to 351.375, then it shall be the duty of the department or the cabinet's Office of General Counsel upon the request of the commissioner, to bring an action for the recovery of the penalties provided for herein.
- (3) It shall be the duty of the cabinet's Office of General Counsel, upon the request of the commissioner, to bring an action for a restraining order, temporary or permanent injunction against any operator or other person violating or threatening to violate any of the provisions of KRS 351.315 to 351.375.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 85, sec. 13, effective July 14, 2018. -- Created 1976 Ky. Acts ch. 143, sec. 7.